

ORDINANCE NO. 20080110-092

AN ORDINANCE AMENDING ORDINANCE NO. 000413-48 FOR THE PROJECT KNOWN AS AVERY RANCH PLANNED UNIT DEVELOPMENT PROJECT TO MODIFY THE LAND USE PLAN, REZONING AND CHANGING THE ZONING MAP FROM PLANNED UNIT DEVELOPMENT (PUD) DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT FOR THE PROPERTY LOCATED ON AVERY RANCH BOULEVARD.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Avery Ranch Planned Unit Development (“Avery Ranch PUD”) is comprised of approximately 1,629 acres of land located at Parmer Lane and Brushy Creek in Williamson County and more particularly described by metes and bounds in the land use plan incorporated into Ordinance No. 000413-48. Avery Ranch PUD was approved April 13, 2000 under Ordinance No. 000413-48 (the “Original Ordinance”) and amended under Ordinances No. 030130-27, No. 030424-22, No. 20060112-Z020, No. 20060112-045, and No. 20060518-050.

PART 2. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from planned unit development (PUD) district to planned unit development (PUD) district on the property described in Zoning Case No. C814-99-0001.06, on file at the Neighborhood Planning and Zoning Department, as follows:

Parcel I-C-1: A 2.803 acre tract of land, more or less, out of the Samuel Damon Survey, Abstract No. 170 in Williamson County, the tract of land being more particularly described by metes and bounds in Exhibit “A” incorporated into this ordinance,

locally known as the property located at Avery Ranch Boulevard, in the City of Austin, Williamson County, Texas, and generally identified in the map attached as Exhibit “B”.

PART 3. This ordinance, together with the attached Exhibits “A” through “C” amends the Original Ordinance. Avery Ranch PUD shall conform to the limitations and conditions set forth in the Original Ordinance, as amended, and the Avery Ranch planned unit development land use plan. Except as otherwise specifically provided by this ordinance and land use plan, all other rules, regulations and ordinances of the City in effect on the effective date of this ordinance apply to Avery Ranch PUD.

PART 4. The attached exhibits are incorporated into this ordinance in their entirety as though set forth fully in the text of this ordinance. The exhibits are as follows:

- Exhibit A: Parcel I-C-1 property description
- Exhibit B: Zoning map
- Exhibit C: Amended land use plan

PART 5. The Avery Ranch land use plan under the Original Ordinance, as amended is modified and amended as follows:

- A. Parcel I-C is divided to create two new tracts: Parcel I-C and a 2.803 acre tract, Parcel I-C-1.
- B. Exhibit C (*Site Development Standards*) is modified to add public district (P) site development standards for Parcel I-C-1.
- C. Exhibit D (*Permitted Uses Table*) is modified to allow major utility facilities use and to prohibit all uses other than those permitted under public (P) zoning;
- D. Exhibit E (*Land Use Table*) is modified to designate Parcel I-C-1 as a public (P) zoned use for development of an elevated water storage tank.
- E. Section 25-2-1063 (*Height Limitations And Setbacks For Large Sites*) does not apply to Parcel I-C-1 to allow a water storage tank to be built within 123 of single family zoned property up to a maximum height of 200 feet.

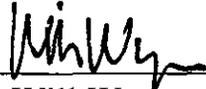
PART 6. The provisions under Part 13 of Ordinance No. 000413-48 have been satisfied and no longer apply to the 2.5 acre portion of Parcel I-D. The 2.5 acre portion of Parcel I-D is released as a civic site and is subject to the land uses permitted for Parcel I-D as shown on Exhibit D (*Permitted Uses Table*) of the amended PUD land use plan.

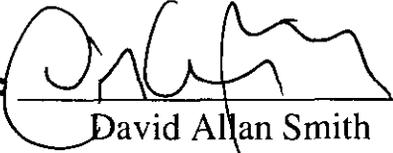
PART 7. In all other respects the terms and conditions of Ordinance No. 000413-48, as amended, remain in effect.

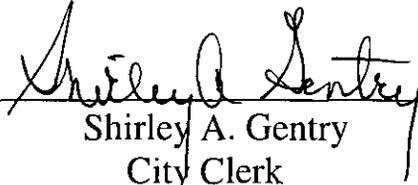
PART 8. This ordinance takes effect on January 21, 2008.

PASSED AND APPROVED

January 10, 2008

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Will Wynn
Mayor

APPROVED: _____

David Allan Smith
City Attorney

ATTEST: _____

Shirley A. Gentry
City Clerk

2.803 ACRE TRACT
AVERY RANCH WATER TOWER
EXHIBIT A

FN NO 1025
May 30, 2007
JOB NO. 20025.01.31

DESCRIPTION

OF A 2.803 ACRE TRACT OUT OF THE SAMUEL DAMON SURVEY, ABSTRACT NO. 170, SITUATED IN WILLIAMSON COUNTY, TEXAS, AND BEING A PORTION OF TRACT 2 CONVEYED TO CONTINENTAL HOMES OF TEXAS, L.P., A TEXAS LIMITED PARTNERSHIP, IN DOCUMENT NO. 2004043864 AND DOCUMENT NO. 2004043865, OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS; SAID 2.803 ACRES BEING MORE PARTICULARLY DESCRIBED, BY METES AND BOUNDS, AS FOLLOWS:

BEGINNING at a 1/2 inch iron rod with plastic surveyor's cap found for the most southerly corner of said Tract 2, same being an ell corner of a 789.508 acre tract conveyed to the State of Texas, State Department of Highways and Public Transportation in Volume 1723, Page 855 of the Official Records of Williamson County, Texas, for the most southerly corner hereof;

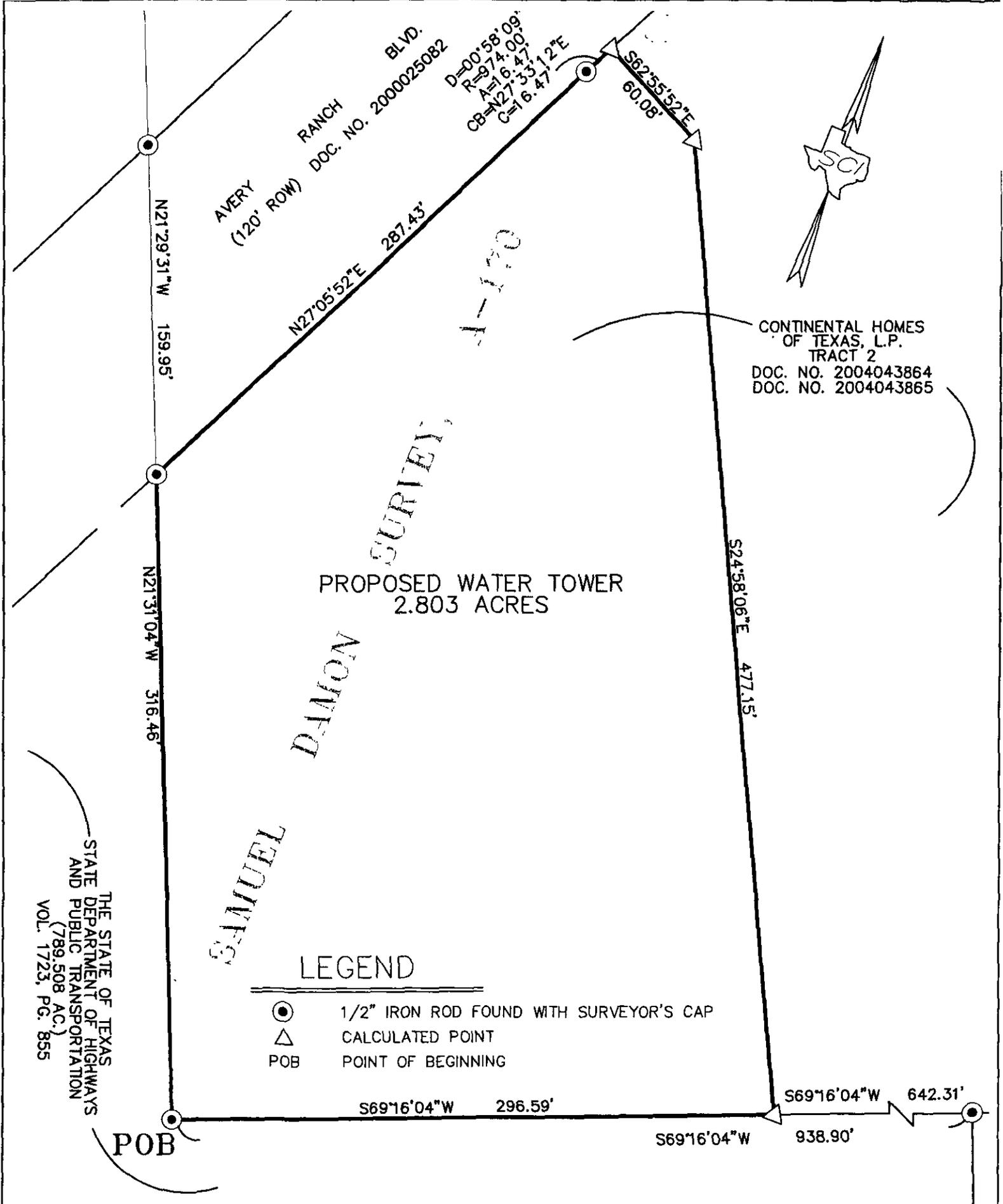
THENCE along the westerly line of said Tract 2 and a easterly line of said 789.508 acre tract, N21°31'04"W, a distance of 316.46 feet to a 1/2 inch iron rod with plastic surveyor's cap found in the southerly line of Avery Ranch Boulevard, for the most westerly corner of said Tract 2 and the most westerly corner hereof;

THENCE leaving said easterly line of said 789.508 acre tract, along the northerly line of said Tract 2 and the southerly line of Avery Ranch Boulevard, the following two (2) courses and distances:

- 1) N27°05'52"E, a distance of 287.43 feet to a 1/2 inch iron rod with plastic surveyor's cap found for the point of curvature hereof, and
- 2) along a curve to the right, having a radius of 974.00 feet, a delta angle of 00°58'09", a chord distance of 16.47 feet (chord bears N27°33'12"E), an arc distance of 16.47 feet to a calculated point for the most northerly corner hereof;

THENCE leaving the northerly line of said Tract 2 and the southerly line of Avery Ranch Boulevard, through said Tract 2 the following two (2) courses and distances:

- 1) S62°55'52"E, a distance of 60.08 feet to a calculated point for an angle point hereof, and
- 2) S24°58'06"E, a distance of 477.15 feet to a calculated point in the southerly line of said Tract 2 and a northerly line of said 789.508 acre tract, for the most easterly corner hereof;



SHEET 1 OF 1	Scale: 1"=60' Date: 05/30/07
	X:\20025-01 AVERY RANCH WATER RESERVOIR\13 SURVEY\DWG
	Drawn by: BJM
	File: WT DESC.DWG
	Approved by: LMR
Project No.: 20025 01.31	

SKETCH TO ACCOMPANY DESCRIPTION 2.803 ACRE TRACT OUT OF THE SAMUEL DAMON SURVEY, ABSRACT NO. 170 A PORTION OF TRACT 2 CONVEYED TO CONTINENTAL HOMES OF TEXAS, L.P. WILLIAMSON COUNTY, TEXAS



Stanley Consultants INC.

6838 Austin Center Blvd., Suite 350, Austin Texas 78731
www.stanleyconsultants.com (512) 427-3600

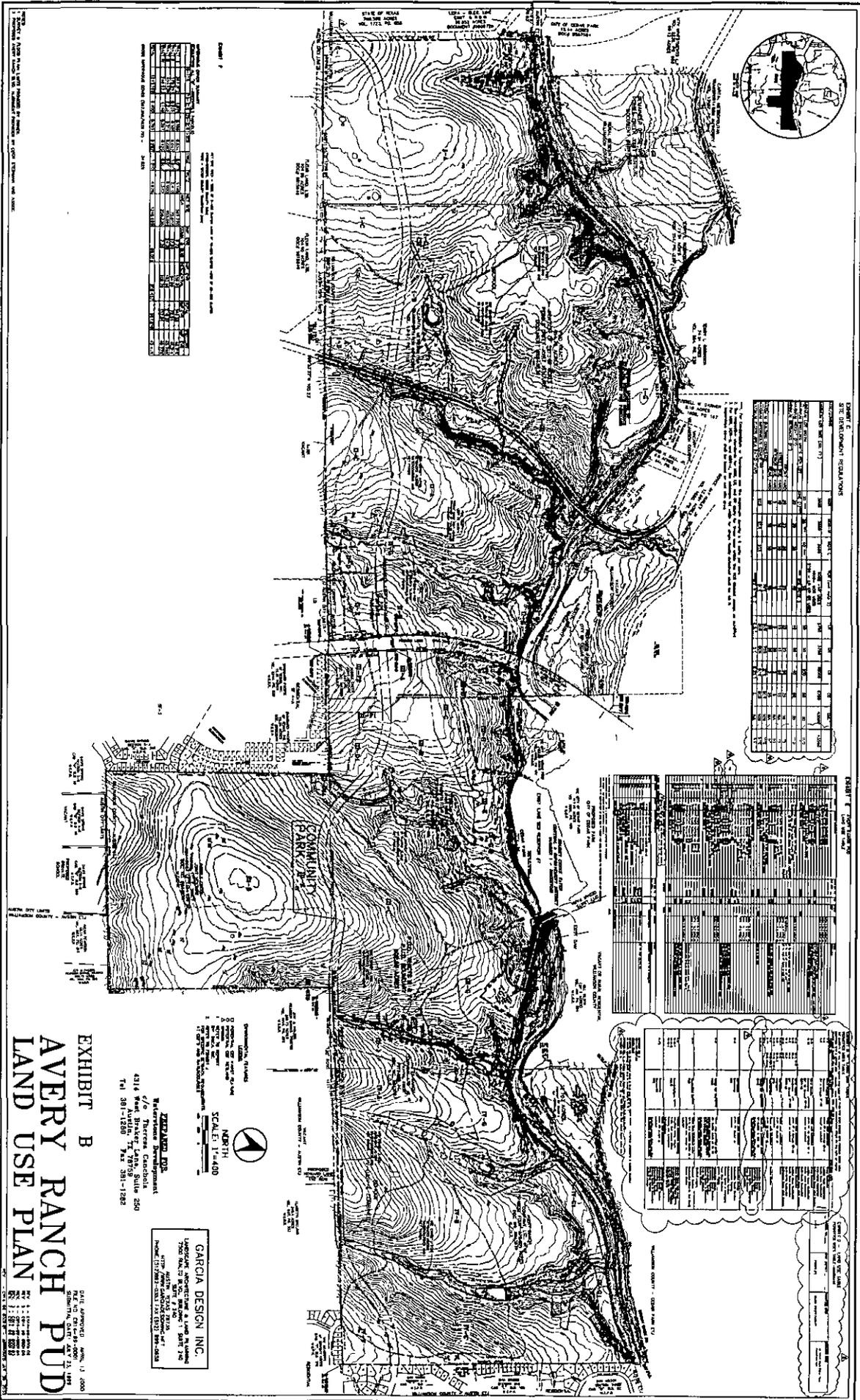


TABLE 1
SITE DEVELOPMENT SPECIFICATIONS

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TABLE 2
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TABLE 3
PROPERTY DATA

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EXHIBIT B
AVERY RANCH PUD
LAND USE PLAN

DATE APPROVED: APRIL 11, 2000
 PREPARED BY: GARCIA DESIGN, INC.
 4214 WEST BRUNNEN, LITTLE ROCK, AR 72205
 TEL: 501-281-1500 FAX: 501-281-1522

GARCIA DESIGN, INC.
 LICENSED ARCHITECTS & LAND PLANNERS
 4214 WEST BRUNNEN, LITTLE ROCK, AR 72205
 TEL: 501-281-1500 FAX: 501-281-1522

EXHIBIT C